IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.15837 of 2008
AWADH MANDAL & ORS
Versus
STATE OF BIHAR

3/ 10.07.2008 Heard learned counsel for the petitioners and learned APP for the State.

Apprehending their arrest in Pipra P.S. Case No. 30/2007, registered under Section 384, 379, 504 and 143 of the IPC, the petitioners Awadh Mandal, Harinandan Mandal, Lalan Kumar, Ravi Anand Mandal @ Ravi Anand Kumar @ Ravi Anand (Chandan), Pawan Kumar and Kadam Lal Mandal, who have been refused anticipatory bail by the learned Additional Sessions Judge, Supaul, have filed this petition for anticipatory bail.

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It has been submitted that petitioner have been involved in this case only for the reason that petitioner no. 2 namely Harinandan Mandal has filed a Title Suit No. 16 of 1992 in which injunction has been granted and in spite of that there was violation of that order. The subject matter of the property the aforesaid title suit is the place of the occurrence wherefrom the ginger are said to have been removed by the petitioners. Moreover, petitioner no. 1 who is secretary of the Math was instrumental in protecting the land of the Math. Moreover, there is unexplained delay in the institution of the case.

In the facts and circumstances, the petitioners above named are admitted to anticipatory bail and in the event of their arrest or surrender in the court below, the petitioners shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul, in connection with Pipra P.S. Case No. 30/2007 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Sanjeet **(Subash Chandra Jha, J.)**

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